

Application No. : 10/800,144
Filed : March 12, 2004

COMMENTS

Claims 1-47 remain pending in the present application, Claims 1, 2, 14-16, 34, 44, and 45 having been amended. The claims set forth above include marking to show the changes made by way of the present amendment, deletions being in ~~strikeout~~ and additions being underlined.

Applicants would initially like to thank Examiner Manahan for the courteous interview extended to Applicants' counsel, Michael Guiliana, on May 12, 2005. During the interview, Applicants' counsel pointed out that the cited references do not show a conduit extending from the base to the turbine so as to guide water from the outside source to the turbine shaft or bearings. Further, Applicants' counsel pointed out that the cited references do not teach or suggest that a dental device should include a square shaped projection and a triangular shaped recess. Finally, Applicants' counsel suggested amending Claims 14, 16, 44, and 45 to include the term "configured".

As a result of the interview, Examiner Manahan agreed that the outstanding rejections of Claims 2-47 would be overcome if the claims were amended as set forth above. On the basis of the interview and in response to the Office Action mailed February 8, 2005, Applicants respectfully request the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments.

All Pending Claims Now Fully Comply With 35 U.S.C. § 112

Claims 14, 16, 44, and 45 stand rejected under 35 U.S.C. § 112, second paragraph, the Examiner maintaining that the language therein is indefinite as filed. In response, Applicants have amended these claims solely to make these claims more easily readable and not to affect or narrow the scope of these claims.

In particular, Applicants have amended Claims 14, 16, 44, and 45 to include the phrasing "configured to", which the Examiner indicated would overcome the present rejections. Applicants submit that no range of equivalents have been surrendered by way of the present amendment. Thus, all of the equivalents of the original recitations of Claims 14, 16, 44, and 45 are also equivalents of the present recitations thereof.

The Applied Combination of McLaughlin et al./Reeves et al. Does Not Make Obvious Claims 1-6, 8-15, and 17-33

Claims 1-6, 8-15, and 17-33 stand rejected under 35 U.S.C. § 103(a) as being obvious over McLaughlin et al. in view of Reeves et al. Applicants respectfully traverse the present

Application No. : 10/800,144
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rejection. However, in order to expedite prosecution of the present application, Applicants have amended Claim 2 as agreed during the interview to overcome the present rejection. Thus, the present rejection of Claim 2 is now moot. Additionally, Applicants submit that Claims 3-6, 8-15, and 17-33 are also allowable, not only because they depend from Claim 2, but also on their own merit. Applicants also expressly reserve the right to further prosecute the original versions of Claims 2-6, 8-15, and 17-33 through continuation practice.

With respect to Claim 1, Applicants have amended Claim 1 similarly to the lines discussed during the interview with respect to the subject matter of Claim 2. In particular, Claim 1 now recites, among other recitations, "at least one of said plurality of conduits extending from said base to said bearings and configured to guide water from said outside source to said bearings." As noted in the interview, the cited references do not suggest such a conduit. Thus, Applicants submit that Claim 1 also defines over the cited references. The Applied Combination of McLaughlin et al./Bailey Does Not Make Obvious Claims 2-6, 8-15, and 17-33

Claims 2-6, 8-15, and 17-33 stand rejected under 35 U.S.C. § 103(a) as being obvious over McLaughlin et al. in view of Bailey. Applicants respectfully traverse the present rejection. However, in order to expedite prosecution of the present application, Applicants have amended Claim 2 as agreed during the interview to overcome the present rejection. Thus, the present rejection of Claim 2 is now moot. Additionally, Applicants submit that Claims 3-6, 8-15, and 17-33 are also allowable, not only because they depend from Claim 2, but also on their own merit. Applicants also expressly reserve the right to further prosecute the original versions of Claims 2-6, 8-15, and 17-33 through continuation practice.

The Applied Combination of McLaughlin et al./Bailey/Cardarelli Does Not Make Obvious Claim 7

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being obvious over McLaughlin et al. in view of Bailey and in further view of Cardarelli. Applicants respectfully traverse the present rejection. However, in order to expedite prosecution of the present application, Applicants have amended Claim 2 as agreed during the interview to overcome the present rejection. Thus, the present rejection of Claim 7 is now moot. Applicants submit, however, that Claim 7 is allowable, not only because it depends from Claim 2, but also on its own merit. Applicants also expressly reserve the right to further prosecute the original version of Claim 7 through continuation practice.

Application No. : 10/800,144
Filed : March 12, 2004

The Applied Combination of McLaughlin et al./Bailey/Franetzki et al. Does Not Make Obvious Claim 16

Claim 16 stands rejected under 35 U.S.C. § 103(a) as being obvious over McLaughlin et al. in view of Bailey and in further view of Franetzki et al. Applicants respectfully traverse the present rejection. However, in order to expedite prosecution of the present application, Applicants have amended Claim 2 as agreed during the interview to overcome the present rejection. Thus, the present rejection of Claim 16 is now moot. Applicants submit, however, that Claim 16 is allowable, not only because it depends from Claim 2, but also on its own merit. Applicants also expressly reserve the right to further prosecute the original version of Claim 16 through continuation practice.

The Applied Combination of McLaughlin et al./Dutt et al. Does Not Make Obvious Claims 34-38, 40-44, 46, and 47

Claims 34-38, 40-44, 46, and 47 stand rejected under 35 U.S.C. § 103(a) as being obvious over McLaughlin et al. in view of Dutt et al. Applicants respectfully traverse the present rejection. However, in order to expedite prosecution of the present application, Applicants have amended Claim 34 as agreed during the interview to overcome the present rejection. Thus, the present rejection of Claims 34-38, 40-44, 46, and 47 is now moot. Additionally, Applicants submit that Claims 35-38, 40-44, 46, and 47 are also allowable, not only because they depend from Claim 34, but also on their own merit. Applicants also expressly reserve the right to further prosecute the original versions of Claims 34-38, 40-44, 46, and 47 through continuation practice.

The Applied Combination of McLaughlin et al./Dutt et al./Cardarelli Does Not Make Obvious Claim 39

Claim 39 stands rejected under 35 U.S.C. § 103(a) as being obvious over McLaughlin et al. in view of Dutt et al. and in further view of Cardarelli. Applicants respectfully traverse the present rejection. However, in order to expedite prosecution of the present application, Applicants have amended Claim 34 as agreed during the interview to overcome the present rejection. Thus, the present rejection of Claim 39 is now moot. Applicants submit, however, that Claim 39 is allowable, not only because it depends from Claim 34, but also on its own merit. Applicants also expressly reserve the right to further prosecute the original version of Claim 39 through continuation practice.

Application No. : 10/800,144
Filed : March 12, 2004

The Applied Combination of McLaughlin et al./Dutt et al./Franetzki et al. Does Not Make Obvious Claim 45

Claim 45 stands rejected under 35 U.S.C. § 103(a) as being obvious over McLaughlin et al. in view of Dutt et al. and in further view of Franetzki et al. Applicants respectfully traverse the present rejection. However, in order to expedite prosecution of the present application, Applicants have amended Claim 34 as agreed during the interview to overcome the present rejection. Thus, the present rejection of Claim 45 is now moot. Applicants submit, however, that Claim 45 is allowable, not only because it depends from Claim 34, but also on its own merit. Applicants also expressly reserve the right to further prosecute the original version of Claim 45 through continuation practice.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims and specification. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicants' attorney in order to resolve such issue promptly.

Respectfully submitted,

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